

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

**JOINTLY ADMINISTERED UNDER  
CASE NO. 10-38652**

DUKE AND KING ACQUISITION CORP.,

Court File No. 10-38652

Debtors.

Court File Nos:

(includes:

Duke and King Missouri, LLC;

10-38653 (GFK)

Duke and King Missouri Holdings, Inc.;

10-38654 (GFK)

Duke and King Real Estate, LLC;

10-38655 (GFK)

DK Florida Holdings, Inc.)

10-38656 (GFK)

Chapter 11 Cases

Chief Judge Gregory F. Kishel

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**NOTICE CONCERNING UNEXPIRED LEASES AND EXECUTORY CONTRACTS AND  
ESTABLISHING CURE COSTS**

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To: The Counterparties to the Debtors' Executory Contracts and Non-Residential Real Property Leases:

**NOTICE IS HEREBY GIVEN** that the above-captioned debtors and debtors in possession (collectively, the "Debtors") have filed a motion, dated April 11, 2011 (the "Sale Motion"), for an order (i) authorizing the sale of substantially all of their assets free and clear of liens, claims, interests and encumbrances through an auction process and (ii) approving the assumption and assignment or rejection of certain executory contracts and establishing cure costs. A hearing to consider approval of the proposed sale (the "Sale Approval Hearing") will be held on May 10, 2011 at 9:30 a.m. (Central Time), in the United States Bankruptcy Court for the District of Minnesota, Courtroom No. 2A, United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, 55415.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Sale Motion, Debtors may assume and assign to the successful bidder or bidders (each, a "Successful Bidder"), subject to a closing of the sale or sales of the Debtors' assets, the certain of the executory contracts and unexpired non-residential real property leases (the "Contracts and Leases") pursuant to sections 363 and 365 of the Bankruptcy Code as set forth hereto on Exhibit 1.

The Contracts and Leases set forth on Exhibit 1 hereto are subject to assumption and assignment pursuant to the Sale Motion. The Contracts and Leases may be those presently designated by one or more of the stalking horse bidders identified in the Sale Motion (each, a "Stalking Horse Bidder"). If the Successful Bidder is a party other than the Stalking Horse Bidder, and the Successful Bidder does not intend to assume the Contracts and Leases or seeks to assume Contracts and Leases in addition to those identified herein, supplemental notice will be provided accordingly.

**PLEASE TAKE FURTHER NOTICE** that the list on Exhibit 1 sets forth the Debtors' proposed cure amounts that the Debtors believe must be paid to cure any such defaults under the particular listed Contract and Lease to which you are a counter-party (in each instance, the "Cure Cost").

**PLEASE TAKE FURTHER NOTICE** that the Debtors propose that a Successful Bidder's responsibility to perform any obligations pay the amounts arising under the Contracts and Leases after the closing of the sale constitutes adequate assurance of future performance of the assigned Contracts and Leases in accordance with section 365(f)(2)(B) of the Bankruptcy Code.

**PLEASE TAKE FURTHER NOTICE** that any party seeking (i) to object to the Cure Cost, as provided on Exhibit 1 herein, in order for such Contract or Lease to be assumed and/or assigned to a Successful Bidder, or (ii) object to the assumption and assignment of any Contract and Lease on any other basis, must file a written objection ("Assumption/Assignment Objection") setting forth the cure amount the objector asserts to be due and the support therefor, and the basis for the Assumption/Assignment Objection. **Assumption/Assignment Objections must be received by parties indicated in Local Rule 9013-3(b) no later than May 5, 2011 (Central Time) (the "Deadline"),** the time set for objections to the Sale Motion.

**PLEASE TAKE FURTHER NOTICE** that unless an Assumption/Assignment Objection is filed and served before the Deadline, all parties shall (i) be deemed to have consented to the assumption and assignment of the Contracts and Leases, (ii) be forever barred from asserting any cure or other amounts with respect to the Contracts and Leases, and (iii) be forever barred and estopped from asserting or claiming against the Debtors or Successful Bidder that any additional amounts are due beyond the amounts set forth on Exhibit 1 hereto, that any conditions to assumption and assignment remain to be satisfied under such Contracts and Leases or that there is any objection or defense to the assumption and assignment of such Contracts and Leases.

**PLEASE TAKE FURTHER NOTICE** that a properly filed Assumption/Assignment Objection shall reserve the objector's rights with respect to the assumption and assignment of a particular Contract and Leases but shall not constitute an objection to the relief requested in the Sale Motion. Parties otherwise wishing to object to the relief requested in the Sale Motion must do so in a separate objection filed and served as directed in the Sale Motion.

**PLEASE TAKE FURTHER NOTICE** that the Debtors' assumption and assignment of the Contracts and Leases to the Successful Bidder is subject to Court approval and consummation of the closing of the sales of the Debtors' assets. Further, those Contracts and Leases to be assumed and assigned are subject to change. Accordingly, the Debtors shall be deemed to have assumed and assigned each of the Contracts and Leases as of the date of and effective only on the closing of any sales of the assets and such Successful Bidder's decision to take assignment of the Contracts and Leases under the terms of its asset purchase agreement. Absent such closing, each of the Contracts and Leases shall in all respects be subject to further administration under the Bankruptcy Code. The inclusion of any document on the list of Contracts and Leases shall not constitute or be deemed to be a determination or admission by the Debtors or the Successful Bidder that such document is, in fact, an executory contract within the meaning of the Bankruptcy Code (all rights with respect thereto being expressly reserved) or that such Contract and Lease will indeed be assumed and assigned at the closing.

**PLEASE TAKE FURTHER NOTICE** that any inquiries regarding information contained in this Notice should be directed to counsel for the Debtors at the address listed below.

Dated: April 18, 2011

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AND DEBTORS IN POSSESSION

EXHIBIT 1
**Duke & King Acquisition / Duke & King Missouri LLC**
**Notice Of Unexpired Leases and Executory Contracts And Cure Costs**

Type of Contract/Lease	Counter Party	Store #	Region	Debtor	Proposed Cure Amount
1 Limited License Agreement Store #04201	Burger King Corporation	04201	IA	Duke & King Acquisition	55,816.81
2 Limited License Agreement Store #06211	Burger King Corporation	06211	IA	Duke & King Acquisition	64,062.66
3 Limited License Agreement Store #04043	Burger King Corporation	04043	IA	Duke & King Acquisition	57,550.91
4 Limited License Agreement Store #04297	Burger King Corporation	04297	IA	Duke & King Acquisition	69,025.55
5 Non-Residential Real Property Lease	Christopher Keith Guthrie Trust	04043	IA	Duke & King Acquisition	6,232.46
6 Non-Residential Real Property Lease	Gabe Fazzini and Karen Fazzini	04201	IA	Duke & King Acquisition	6,974.75
7 Non-Residential Real Property Lease	Mihailo Chukalovich	04297	IA	Duke & King Acquisition	8,341.67
8 Non-Residential Real Property Lease	Vanowen Street, LLC	06211	IA	Duke & King Acquisition	7,422.93
9 Non-Residential Real Property Lease	504 West Blackhawk Realty LLC	11877	IL	Duke & King Acquisition	9,103.59
10 Non-Residential Real Property Lease	Amcore Investment Group, Trustee of Trust	01326	IL	Duke & King Acquisition	2,520.83
11 Non-Residential Real Property Lease	Burger King Corporation	16573	IL	Duke & King Acquisition	12,571.00
12 Non-Residential Real Property Lease	Burger King Corporation	00111	IL	Duke & King Acquisition	7,364.08
13 Limited License Agreement Store #10234	Burger King Corporation	10234	IL	Duke & King Acquisition	46,743.92
14 Burger King Franchise Agreement #16573	Burger King Corporation	16573	IL	Duke & King Acquisition	65,362.11
15 Limited License Agreement Store #00437	Burger King Corporation	00437	IL	Duke & King Acquisition	51,228.03
16 Limited License Agreement Store #00111	Burger King Corporation	00111	IL	Duke & King Acquisition	59,480.73
17 Limited License Agreement Store #00255	Burger King Corporation	00255	IL	Duke & King Acquisition	55,068.74
18 Limited License Agreement Store #01747	Burger King Corporation	01747	IL	Duke & King Acquisition	56,891.09
19 Limited License Agreement Store #05879	Burger King Corporation	05879	IL	Duke & King Acquisition	55,839.03
20 Burger King Franchise Agreement #11877	Burger King Corporation	11877	IL	Duke & King Acquisition	57,099.57
21 Limited License Agreement Store #02160	Burger King Corporation	02160	IL	Duke & King Acquisition	65,646.95
22 Limited License Agreement Store #01326	Burger King Corporation	01326	IL	Duke & King Acquisition	59,047.50
23 Limited License Agreement Store #01752	Burger King Corporation	01752	IL	Duke & King Acquisition	71,879.27
24 Burger King Franchise Agreement #01060	Burger King Corporation	01060	IL	Duke & King Acquisition	66,797.85
25 Non-Residential Real Property Lease	Cordoza Family Trust	05879	IL	Duke & King Acquisition	5,392.13
26 Non-Residential Real Property Lease	Glidden Trust No. 030-801-00-5	00255	IL	Duke & King Acquisition	3,596.99
27 Non-Residential Real Property Lease	Gerald E. Anderson	02160	IL	Duke & King Acquisition	4,250.00
28 Non-Residential Real Property Lease	Grub Stake Properties II a/k/a Grubbstake	10234	IL	Duke & King Acquisition	4,635.19
29 Non-Residential Real Property Lease	William H. Hess Irrevocable Trust	01747	IL	Duke & King Acquisition	3,000.00
30 Non-Residential Real Property Lease	Mary A Kaszynski & Anthony C. Raccuglia	01752	IL	Duke & King Acquisition	2,593.33
31 Non-Residential Real Property Lease	LH Meltzer, LLC	01060	IL	Duke & King Acquisition	8,500.00
32 Non-Residential Real Property Lease	Triple H Properties	00437	IL	Duke & King Acquisition	1,784.84
33 Security Services	Atlas Security	Misc	Duke & King Acquisition	949.26	
34 Music Services	Audio Acoustics	Misc	Duke & King Acquisition	972.48	
35 Music Services	Business Music Ltd	Misc	Duke & King Acquisition	496.80	
36 Music Services	Custom Communications	Misc	Duke & King Acquisition	-	
37 Grease Removal	Darling	Misc	Duke & King Acquisition	-	
38 Advertising Sign Lease	Derse	Misc	Duke & King Acquisition	488.00	
39 Music Services	DMX Communications	Misc	Duke & King Acquisition	65.31	
40 Hood Cleaning	Enviromatic Corp Of America	Misc	Duke & King Acquisition	29,729.16	
41 Snow Services	Fenne's Outdoor Sevices LLC	Misc	Duke & King Acquisition	4,974.75	
42 Security Services	Floyd Total Securtiy	Misc	Duke & King Acquisition	-	
43 Snow Services	Golla Outdoor Services	Misc	Duke & King Acquisition	377.50	
44 Snow Services	High Profile Grounds Maintenance	Misc	Duke & King Acquisition	-	
45 Lease Copier/Hole Punch	Ikon	Misc	Duke & King Acquisition	2,585.33	
46 Lease Copier/Hole Punch	Ikon	Misc	Duke & King Acquisition	1,036.62	
47 Posters Contract	Labor Law Institute Auto Comply Posters	Misc	Duke & King Acquisition	-	
48 Snow Services	Lefonz Lawn Service	Misc	Duke & King Acquisition	520.00	
49 Advertising	Mail South	Misc	Duke & King Acquisition	19,232.54	
50 WOTC Program Agreement	Maximus, Inc.	Misc	Duke & King Acquisition	7,385.24	
51 Billboards/Advertising	Minnesota Logos	Misc	Duke & King Acquisition	494.85	
52 Music Services	Muzak	Misc	Duke & King Acquisition	11,207.14	
53 Snow Services	North Field Landscape	Misc	Duke & King Acquisition	200.00	
54 CO2 Service Agreement	NuCO2	Misc	Duke & King Acquisition	-	
55 Contract for Pest Control	Presto X	Misc	Duke & King Acquisition	1,837.97	
56 Snow Services	River City Lawn	Misc	Duke & King Acquisition	1,185.31	
57 Contract for Postage Meter	SECAP Finance	Misc	Duke & King Acquisition	-	
58 Snow Services	Sno-Mow Services	Misc	Duke & King Acquisition	1,405.17	
59 Snow Services	Todd's Mow and Plow	Misc	Duke & King Acquisition	-	
60 Non-Residential Real Property Lease	735 West Bridge LLC	07444	MN	Duke & King Acquisition	8,683.42

Note – the limited license executed between Burger King Corporation and the Debtors operates as an amendment to each of the 52 franchise agreements subject to that limited license

EXHIBIT 1

**Duke & King Acquisition / Duke & King Missouri LLC**  
**Notice Of Unexpired Leases and Executory Contracts And Cure Costs**

Type of Contract/Lease	Counter Party	Store #	Region	Debtor	Proposed Cure Amount
61 Non-Residential Real Property Lease	Alkire, Inc	09095	MN	Duke & King Acquisition	3,831.70
62 Non-Residential Real Property Lease	Laurence Kennedy	11284	MN	Duke & King Acquisition	11,846.90
63 Non-Residential Real Property Lease	Barque Hill Capital Partners LLC	06270	MN	Duke & King Acquisition	39,050.74
64 Non-Residential Real Property Lease	Worms Trust dated 5/9/1998	12757	MN	Duke & King Acquisition	7,703.04
65 Non-Residential Real Property Lease	Burger King Corporation	06299	MN	Duke & King Acquisition	7,262.40
66 Burger King Franchise Agreement #09934	Burger King Corporation	09934	MN	Duke & King Acquisition	41,581.84
67 Burger King Franchise Agreement #12757	Burger King Corporation	12757	MN	Duke & King Acquisition	45,666.00
68 Burger King Franchise Agreement #07557	Burger King Corporation	07557	MN	Duke & King Acquisition	40,800.66
69 Limited License Agreement Store #06545	Burger King Corporation	06545	MN	Duke & King Acquisition	50,998.67
70 Limited License Agreement Store #07937	Burger King Corporation	07937	MN	Duke & King Acquisition	53,274.58
71 Burger King Franchise Agreement #04507	Burger King Corporation	04507	MN	Duke & King Acquisition	58,847.59
72 Burger King Franchise Agreement #04151	Burger King Corporation	04151	MN	Duke & King Acquisition	62,719.45
73 Burger King Franchise Agreement #04122	Burger King Corporation	04122	MN	Duke & King Acquisition	50,863.46
74 Burger King Franchise Agreement #12250	Burger King Corporation	12250	MN	Duke & King Acquisition	67,942.61
75 Burger King Franchise Agreement #09095	Burger King Corporation	09095	MN	Duke & King Acquisition	46,307.92
76 Burger King Franchise Agreement #09256	Burger King Corporation	09256	MN	Duke & King Acquisition	54,726.66
77 Limited License Agreement Store #09332	Burger King Corporation	09332	MN	Duke & King Acquisition	50,874.37
78 Burger King Franchise Agreement #02641	Burger King Corporation	02641	MN	Duke & King Acquisition	47,304.52
79 Burger King Franchise Agreement #09994	Burger King Corporation	09994	MN	Duke & King Acquisition	42,952.74
80 Limited License Agreement Store #06590	Burger King Corporation	06590	MN	Duke & King Acquisition	70,154.27
81 Limited License Agreement Store #10239	Burger King Corporation	10239	MN	Duke & King Acquisition	52,842.68
82 Limited License Agreement Store #09993	Burger King Corporation	09993	MN	Duke & King Acquisition	52,432.88
83 Burger King Franchise Agreement #06270	Burger King Corporation	06270	MN	Duke & King Acquisition	72,753.71
84 Limited License Agreement Store #11535	Burger King Corporation	11535	MN	Duke & King Acquisition	52,580.49
85 Burger King Franchise Agreement #04553	Burger King Corporation	04553	MN	Duke & King Acquisition	70,523.43
86 Burger King Franchise Agreement #06299	Burger King Corporation	06299	MN	Duke & King Acquisition	61,241.80
87 Limited License Agreement Store #06530	Burger King Corporation	06530	MN	Duke & King Acquisition	79,850.77
88 Burger King Franchise Agreement #05713	Burger King Corporation	05713	MN	Duke & King Acquisition	77,786.87
89 Burger King Franchise Agreement #11682	Burger King Corporation	11682	MN	Duke & King Acquisition	58,541.63
90 Burger King Franchise Agreement #05591	Burger King Corporation	05591	MN	Duke & King Acquisition	82,897.34
91 Limited License Agreement Store #08004	Burger King Corporation	08004	MN	Duke & King Acquisition	58,622.45
92 Burger King Franchise Agreement #05012	Burger King Corporation	05012	MN	Duke & King Acquisition	86,346.71
93 Burger King Franchise Agreement #07466	Burger King Corporation	07466	MN	Duke & King Acquisition	66,342.37
94 Burger King Franchise Agreement #11243	Burger King Corporation	11243	MN	Duke & King Acquisition	64,085.36
95 Burger King Franchise Agreement #10284	Burger King Corporation	10284	MN	Duke & King Acquisition	75,302.92
96 Limited License Agreement Store #04116	Burger King Corporation	04116	MN	Duke & King Acquisition	72,531.32
97 Burger King Franchise Agreement #07444	Burger King Corporation	07444	MN	Duke & King Acquisition	58,960.96
98 Limited License Agreement Store #09081	Burger King Corporation	09081	MN	Duke & King Acquisition	61,105.07
99 Burger King Franchise Agreement #09272	Burger King Corporation	09272	MN	Duke & King Acquisition	65,048.74
100 Limited License Agreement Store #11284	Burger King Corporation	11284	MN	Duke & King Acquisition	77,773.12
101 Burger King Franchise Agreement #08224	Burger King Corporation	08224	MN	Duke & King Acquisition	71,595.67
102 Burger King Franchise Agreement #13091	Burger King Corporation	13091	MN	Duke & King Acquisition	93,240.22
103 Limited License Agreement Store #06615	Burger King Corporation	06615	MN	Duke & King Acquisition	93,747.47
104 Burger King Franchise Agreement #04009	Burger King Corporation	04009	MN	Duke & King Acquisition	90,318.70
105 Burger King Franchise Agreement #11254	Burger King Corporation	11254	MN	Duke & King Acquisition	80,352.97
106 Non-Residential Real Property Lease	Burkhardt Cooperative Association, Inc.	09934	MN	Duke & King Acquisition	3,500.00
107 Non-Residential Real Property Lease	Burnsville BK, LLC	04151	MN	Duke & King Acquisition	23,905.61
108 Non-Residential Real Property Lease	CNL APF Partners, LP	04116	MN	Duke & King Acquisition	19,555.07
109 Non-Residential Real Property Lease	Edward C. Lim and Elaine Lim	06545	MN	Duke & King Acquisition	11,776.33
110 Non-Residential Real Property Lease	Edwin J. Taylor and Diana S. Taylor	06590	MN	Duke & King Acquisition	7,370.00
111 Non-Residential Real Property Lease	Gene C. Ghisolfo	09332	MN	Duke & King Acquisition	19,992.05
112 Non-Residential Real Property Lease	Holiday Station Stores, Inc.	11243	MN	Duke & King Acquisition	6,588.11
113 Non-Residential Real Property Lease	Inland Commercial Property Management, Inc.	06530	MN	Duke & King Acquisition	8,131.75
114 Non-Residential Real Property Lease	Irving J. Sherman Revocable Trust	11535	MN	Duke & King Acquisition	6,500.00
115 Non-Residential Real Property Lease	Irving J. Sherman Revocable Trust	09993	MN	Duke & King Acquisition	4,467.00
116 Non-Residential Real Property Lease	Jeffery Scott Freeman and Kathleen Freeman	02641	MN	Duke & King Acquisition	17,057.14
117 Non-Residential Real Property Lease	John R. Piatt	07937	MN	Duke & King Acquisition	8,893.51
118 Non-Residential Real Property Lease	John Suen and Nancy Huang	09081	MN	Duke & King Acquisition	16,005.02
119 Non-Residential Real Property Lease	Mark J. Ogren	11254	MN	Duke & King Acquisition	4,628.75
120 Non-Residential Real Property Lease	MOAC Mall Holdings LLC	07466	MN	Duke & King Acquisition	20,004.28

*Note – the limited license executed between Burger King Corporation and the Debtors operates as an amendment to each of the 52 franchise agreements subject to that limited license*

EXHIBIT 1
**Duke & King Acquisition / Duke & King Missouri LLC**
**Notice Of Unexpired Leases and Executory Contracts And Cure Costs**

Type of Contract/Lease	Counter Party	Store #	Region	Debtor	Proposed Cure Amount
121 Non-Residential Real Property Lease	Nathan Lustman, Trustee of the Nathan Lustman	09272	MN	Duke & King Acquisition	22,616.37
122 Non-Residential Real Property Lease	Oreel Family Limited Partnership	09994	MN	Duke & King Acquisition	12,479.12
123 Non-Residential Real Property Lease	Oreel Family Limited Partnership	10284	MN	Duke & King Acquisition	29,826.54
124 Non-Residential Real Property Lease	P & C Rentals LLP	04507	MN	Duke & King Acquisition	9,590.00
125 Non-Residential Real Property Lease	P & C Rentals LLP	04122	MN	Duke & King Acquisition	4,953.33
126 Non-Residential Real Property Lease	Paul N. Philips and Karine T. Philips	08004	MN	Duke & King Acquisition	22,852.97
127 Non-Residential Real Property Lease	POOYA, Inc.	11682	MN	Duke & King Acquisition	34,753.91
128 Non-Residential Real Property Lease	Sherwin 2000 Trust	07557	MN	Duke & King Acquisition	23,118.52
129 Non-Residential Real Property Lease	Roger Johnson and Candice J. Johnson	05713	MN	Duke & King Acquisition	24,949.42
130 Non-Residential Real Property Lease	Ronald Gdovin and Dina Rickard	06615	MN	Duke & King Acquisition	22,057.64
131 Non-Residential Real Property Lease	Segura Investors VI, LLC and Segura Investors	04009	MN	Duke & King Acquisition	10,329.07
132 Non-Residential Real Property Lease	Segura Investors VI, LLC and Segura Investors	08224	MN	Duke & King Acquisition	10,224.03
133 Non-Residential Real Property Lease	Serramonte Westborough Associates, LLC	05012	MN	Duke & King Acquisition	34,135.74
134 Non-Residential Real Property Lease	Stadium Village Plaza, LLC	12250	MN	Duke & King Acquisition	7,317.33
135 Non-Residential Real Property Lease	The Lakes Adventure LLC	13091	MN	Duke & King Acquisition	35,826.87
136 Non-Residential Real Property Lease	Vander-Smith Properties	05591	MN	Duke & King Acquisition	26,540.48
137 Non-Residential Real Property Lease	Wakefield LLC	04553	MN	Duke & King Acquisition	20,034.64
138 Non-Residential Real Property Lease	Russ Family Trust	10239	MN	Duke & King Acquisition	23,210.94
139 Non-Residential Real Property Lease	Yocum Oil Company, Inc.	09256	MN	Duke & King Acquisition	7,002.62
140 Non-Residential Real Property Lease	Alitibano R. Parenti and Rosa M Parenti Living	08384	MO	Duke & King Missouri	7,000.00
141 Non-Residential Real Property Lease	AWWRE III, LLC	11049	MO	Duke & King Missouri	6,166.67
142 Non-Residential Real Property Lease	AWWRE III, LLC	12281	MO	Duke & King Missouri	6,166.67
143 Non-Residential Real Property Lease	Triex Missouri Prop LLC	12415	MO	Duke & King Missouri	7,703.90
144 Limited License Agreement Store #12413	Burger King Corporation	12413	MO	Duke & King Missouri	31,914.25
145 Limited License Agreement Store #05539	Burger King Corporation	05539	MO	Duke & King Missouri	62,219.87
146 Limited License Agreement Store #01227	Burger King Corporation	01227	MO	Duke & King Missouri	54,298.00
147 Limited License Agreement Store #09331	Burger King Corporation	09331	MO	Duke & King Missouri	42,141.49
148 Burger King Franchise Agreement #03232	Burger King Corporation	03232	MO	Duke & King Missouri	72,288.68
149 Limited License Agreement Store #07203	Burger King Corporation	07203	MO	Duke & King Missouri	68,311.37
150 Limited License Agreement Store #03475	Burger King Corporation	03475	MO	Duke & King Missouri	61,157.72
151 Burger King Franchise Agreement #05357	Burger King Corporation	05357	MO	Duke & King Missouri	72,918.63
152 Limited License Agreement Store #08384	Burger King Corporation	08384	MO	Duke & King Missouri	52,661.95
153 Burger King Franchise Agreement #04513	Burger King Corporation	04513	MO	Duke & King Missouri	64,434.42
154 Limited License Agreement Store #12281	Burger King Corporation	12281	MO	Duke & King Missouri	52,030.26
155 Limited License Agreement Store #12415	Burger King Corporation	12415	MO	Duke & King Missouri	44,333.85
156 Limited License Agreement Store #11049	Burger King Corporation	11049	MO	Duke & King Missouri	56,463.85
157 Non-Residential Real Property Lease	Clyde Stewart, Jr. and Kathy Stewart	09331	MO	Duke & King Missouri	1,331.00
158 Non-Residential Real Property Lease	David Stewart and Joyce Stewart	09331	MO	Duke & King Missouri	1,331.00
159 Non-Residential Real Property Lease	Glen Harris Farms	05539	MO	Duke & King Missouri	9,980.31
160 Non-Residential Real Property Lease	MO.BK	07203	MO	Duke & King Missouri	9,803.45
161 Non-Residential Real Property Lease	South Campbell Street Investment Company, LLC	03232	MO	Duke & King Missouri	14,077.71
162 Non-Residential Real Property Lease	Spring Investment LLC	01227	MO	Duke & King Missouri	8,346.54
163 Non-Residential Real Property Lease	Sutter Development Corp	04513	MO	Duke & King Missouri	1,823.26
164 Non-Residential Real Property Lease	Thomas Joeseph Tacci Family Trust	03475	MO	Duke & King Missouri	6,328.42
165 Non-Residential Real Property Lease	University Park Development, LLC	05357	MO	Duke & King Missouri	5,690.97
166 Non-Residential Real Property Lease	Wood Family Limited Partnership	12413	MO	Duke & King Missouri	3,100.00
167 Non-Residential Real Property Lease	Burger King Corporation	03792	WI	Duke & King Acquisition	5,437.50
168 Limited License Agreement Store #04857	Burger King Corporation	04857	WI	Duke & King Acquisition	42,676.96
169 Burger King Franchise Agreement #09366	Burger King Corporation	09366	WI	Duke & King Acquisition	45,120.44
170 Burger King Franchise Agreement #01764	Burger King Corporation	01764	WI	Duke & King Acquisition	49,804.69
171 Burger King Franchise Agreement #03792	Burger King Corporation	03792	WI	Duke & King Acquisition	61,169.88
172 Limited License Agreement Store #01888	Burger King Corporation	01888	WI	Duke & King Acquisition	52,412.64
173 Non-Residential Real Property Lease	Demetrios Spyros and Harriet Spyros	01888	WI	Duke & King Acquisition	9,278.66
174 Non-Residential Real Property Lease	Gabe Fazzini and Karen Fazzini	09366	WI	Duke & King Acquisition	7,100.80
175 Non-Residential Real Property Lease	Karcap Group	01764	WI	Duke & King Acquisition	5,000.00
176 Non-Residential Real Property Lease	McLochlin Enterprises, Inc.	04857	WI	Duke & King Acquisition	7,000.00

Note – the limited license executed between Burger King Corporation and the Debtors operates as an amendment to each of the 52 franchise agreements subject to that limited license

EXHIBIT 1

**Duke & King Acquisition / Duke & King Missouri LLC**  
**Notice Of Unexpired Leases and Executory Contracts And Cure Costs**

Type of Contract/Lease	Counter Party	Store #	Region	Debtor	Proposed Cure Amount
1 Non-Residential Real Property Lease	Albert E. Miller Revocable Living Trust	04334	Group 2	Duke & King Acquisition	5,742.26
2 Non-Residential Real Property Lease	Burger King Corporation	04111	Group 2	Duke & King Acquisition	5,162.00
3 Limited License Agreement Store #05971	Burger King Corporation	05971	Group 2	Duke & King Acquisition	56,420.46
4 Limited License Agreement Store #05960	Burger King Corporation	05960	Group 2	Duke & King Acquisition	46,928.21
5 Limited License Agreement Store #04334	Burger King Corporation	04334	Group 2	Duke & King Acquisition	53,329.49
6 Burger King Franchise Agreement #00106	Burger King Corporation	00106	Group 2	Duke & King Acquisition	56,788.77
7 Burger King Franchise Agreement #04111	Burger King Corporation	04111	Group 2	Duke & King Acquisition	44,069.07
8 Burger King Franchise Agreement #11191	Burger King Corporation	11191	Group 2	Duke & King Acquisition	37,626.90
9 Non-Residential Real Property Lease	Burger King Corporation	00106	Group 2	Duke & King Acquisition	8,358.38
10 Non-Residential Real Property Lease	Ramsey Cronfel	05960	Group 2	Duke & King Acquisition	6,757.67
11 Non-Residential Real Property Lease	Sunflower Square Shopping Center, LLC	05971	Group 2	Duke & King Acquisition	7,773.07
12 Non-Residential Real Property Lease	Williams Property Management LLC	11191	Group 2	Duke & King Acquisition	14,166.66
13 Limited License Agreement Store #06609	Burger King Corporation	06609	Group 2	Duke & King Missouri	44,555.35
14 Limited License Agreement Store #11751	Burger King Corporation	11751	Group 2	Duke & King Missouri	31,323.12
15 Limited License Agreement Store #01558	Burger King Corporation	01558	Group 2	Duke & King Missouri	63,764.06
16 Limited License Agreement Store #08964	Burger King Corporation	08964	Group 2	Duke & King Missouri	39,555.80
17 Limited License Agreement Store #09744	Burger King Corporation	09744	Group 2	Duke & King Missouri	37,325.30
18 Limited License Agreement Store #07204	Burger King Corporation	07204	Group 2	Duke & King Missouri	40,685.07
19 Limited License Agreement Store #06030	Burger King Corporation	06030	Group 2	Duke & King Missouri	51,644.19
20 Non-Residential Real Property Lease	First Sunrise , LLC	01558	Group 2	Duke & King Missouri	7,742.83
21 Non-Residential Real Property Lease	Gaspardi 2002 Revocable Trust	09744	Group 2	Duke & King Acquisition	5,151.13
22 Non-Residential Real Property Lease	Friendly Family LLC	06030	Group 2	Duke & King Missouri	6,506.05
23 Non-Residential Real Property Lease	Survivor's Trust of Ruth and Joseph Jurnecka	11751	Group 2	Duke & King Missouri	5,075.00
24 Non-Residential Real Property Lease	Legacy Enterprises, Inc.	08964	Group 2	Duke & King Missouri	10,848.60
25 Non-Residential Real Property Lease	Dam Family Trust	07204	Group 2	Duke & King Missouri	5,383.10
26 Non-Residential Real Property Lease	Sunflower Square Shopping Center, LLC	06609	Group 2	Duke & King Missouri	10,290.00

*Note – the limited license executed between Burger King Corporation and the Debtors operates as an amendment to each of the 52 franchise agreements subject to that limited license*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

\*\*\*\*\*  
In re:

**JOINTLY ADMINISTERED UNDER  
CASE NO. 10-38652**

DUKE AND KING ACQUISITION, CORP.,

Court File No. 10-38652

Debtors.

Court File Nos:

(includes:

Duke and King Missouri, LLC;

10-38653 (GFK)

Duke and King Missouri Holdings, Inc.;

10-38654 (GFK)

Duke and King Real Estate, LLC;

10-38655 (GFK)

DK Florida Holdings, Inc.)

10-38656 (GFK)

Chapter 11 Cases  
Judge Gregory F. Kishel

\*\*\*\*\*  
**CERTIFICATE OF SERVICE**

\*\*\*\*\*  
Douglas W. Kassebaum, under penalty of perjury, states that on April 18, 2011, he caused to be served the following:

Notice Concerning Unexpired Leases and Executory Contracts and Establishing Cure Costs  
by sending true and correct copies by U.S. Mail to the parties listed on the attached service list.

Dated: April 18, 2011

/s/ Douglas W. Kassebaum

Douglas W. Kassebaum

504 W Blackhawk Realty LLC  
140 ADAMS AVENUE  
SUITE A8  
HAUPPAUGE, NY 11788

735 West Bridge LLC  
2131 CENTURY PARK LANE 3-214  
LOS ANGELES, CA 90067

Albert E. Miller  
Revocable Living Trust  
1757 Sky Loft Ln  
Encinitas, CA 92024

ALBERT E. MILLER LIVING TRUST  
78-6833 ALLI DRIVE  
STE 6  
KAILUA KONA, HI 96740

ALKIRE INC  
LAMBERT & ASSO  
C/O MARK W LAMBERT  
122 S WATER ST  
STILLWATER, MN 55082

Alkire, Inc  
106 9TH AVE SO CIRCLE  
PRINCETON, MN 55371

ALTIBANO R PARENTI  
1091 INDUSTRIAL RD  
STE 230  
SAN CARLOS, CA 94070

Altibano R. Parenti  
1091 Industrial Rd #270  
San Carlos, CA 94070

Altibano R. Parenti &  
Rosa M. Parenti Living Trust  
3104 Margarita Ave  
Burlingame, CA 94010

Amcore Investment Group tte  
Trust No. 75-6239  
PO Box 1537  
Rockford, IL 61110

Anthony C. Raccuglia  
1200 Maple Dr  
Peru, IL 61354

ATLAS SECURITY SERVICE INC.  
1309 EAST REPUBLIC ROAD  
SUITE B  
SPRINGFIELD, MO 65804

AUDIO ACOUSTICS INC.  
PO BOX 4487  
SPRINGFIELD, MO 65808-4487

AWWRE III, LLC  
1220 LEXINGTON AVE  
STE 2E  
NEW YORK, NY 10028

Barque Hill Capital Partners LLC  
PO BOX 1320  
FORESTDALE, MA 02644

Burger King Corp  
PO BOX 932980  
ATLANTA, GA 31193-2980

Burger King Corp  
PO BOX 020783  
MIAMI, FL 33102

Burkhardt Cooperative Assoc.  
1088 County Rd A  
Hudson, WI 54016

Burnsville BK, LLC  
6010 HWY 7  
MINNEAPOLIS, MN 55416

BUSINESS MUSIC LTD  
PO BOX 3013  
DULUTH, MN 55803-3013

Castle Bank Land Trust  
Sarah G DeMink  
4904 Seeley Ave.  
Downers Grove, IL 60515

Chang Revocable Trust  
38 Josiah Ave  
SAN FRANCISCO, CA 94112

Christopher K. Guthrie Trust  
PO BOX 1733  
ROSS, CA 94957-1733

CNL APF Partners, LP  
450 SOUTH ORANGE AVE  
SUITE 1100  
ORLANDO, FL 32801

CNL Net Lease Funding 2003, LLC  
450 S Orange Ave  
Orlando, FL 32801

Cordoza Family Trust  
316 E BEACH ST  
WATSONVILLE, CA 95076

CUSTOM COMMUNICATIONS  
1661 GREENVIEW DR SW  
ROCHESTER, MN 55902

Dam Family Trust  
1552 Gordy Dr  
San Jose, CA 95131

DARLING INTERNATIONAL  
PO BOX 615  
DES MOINES, IA 50306-0615

DARLING INTERNATIONAL INC.  
PO BOX 671401  
DALLAS, TX 75267-1401

David & Joyce Stewart  
9600 Cty Rd 6750  
West Plains, MO 65775

Demetrios & Harriet Spyakos  
6743 N NOKOMIS  
LINCOLNWOOD, IL 60712

DERSE INC WHBS  
3800 W CANAL ST  
MILWAUKEE, WI 53208

DMX MUSIC DALLAS  
PO BOX 660557  
DALLAS, TX 75266-0557

Duke and King Real Estate, LLC  
12281 Nicollet Ave  
Burnsville, MN 55337

Edward C. and Elaine Lim  
102 COLBY ST  
SAN FRANCISCO, CA 94134

Edwin J. and Diana S. Taylor  
6524 Highway 61 N  
WHITE BEAR LAKE, MN 55110

Elizabeth & Moche Chalem  
11054 Ventura Blvd Ste 124  
Studio City, CA 91604

ENVIROMATIC CORP  
5936 PILLSBURY S  
MINNEAPOLIS, MN 55419

Federal Wage and Labor Law Institute  
7001 W 43rd Street  
Houston, TX 77092

FENNE'S OUTDOOR SVCS LLC  
PO BOX 541  
LAKEVILLE, MN 55044

First Sunrise, LLC  
2679 E 66TH ST  
BROOKLYN, NY 11234

FLOYD TOTAL SECURITY  
9036 GRAND AVE S  
MINNEAPOLIS, MN 55420-3634

Friendly Family LLC  
53 WORTHS MILL LANE  
PRINCETON, NJ 08540

Gabe & Karen Fazzini  
37072 GALILEO LANE  
MURRIETA, CA 92563

Gaspardi 2002 Revocable Trust  
PO Box 3150  
Sonora, CA 95370

Gene C. Ghisolfo  
PO Box 2725  
Sausalito, CA 94966

Gerald E. Anderson  
251 Montgomery Rd  
Montgomery, IL 60538

Glen Harris Farm  
PO BOX 1291  
GRIDLEY, CA 95948

Glidden Trust No. 030-801-00-5  
c/o First National Bank  
309 SEELEY AVE  
DOWNERS GROVE, IL 60515

Golla Outdoor Services  
1629 4th Ave  
Newport, MN 55055

Grub Stake Properties II  
a/k/a GrubbsStake Prop II  
2401 American Ln  
Madison, WI 53704

High Profile Grounds Maintenance, Inc  
8236 Arthur St. NE, Suite H  
Minneapolis, MN 55432

Holiday Station Stores Inc.  
4567 American Blvd W  
Minneapolis, MN 55437

IKON FINANCIAL SERVICES  
PO BOX 650016  
DALLAS, TX 75265-0016

IKON FINANCIAL SERVICES  
BKY ADMIN  
PO BOX 13708  
MACON, GA 31208-3708

IKON OFFICE SOLUTIONS  
RECOVERY & BANKRUPTCY GROUP  
3920 ARKWRIGHT RD  
STE 400  
MACON, GA 31210

IKON OFFICE SOLUTIONS  
PO BOX 802815  
CHICAGO, IL 60680-2815

Inland Commercial Property Mgmt Inc  
2901 BUTTERFIELD RD  
OAK BROOK, IL 60523

Irving J. Sherman Revocable Trust  
ATTN JOHN HAMBURGER  
2808 ANTHONY LANE SOUTH  
MINNEAPOLIS, MN 55418

Jeffery S. & Kathleen Freeman  
314 LOMA AVE  
HUNTINGTON BEACH, CA 92648

John R. Piatt  
4156 POPLAR STREET  
SAN DIEGO, CA 92105

John Suen & Nancy Huang  
50 MADDUX AVE  
SAN FRANCISCO, CA 94124

Karcap Group  
7400 W 75TH AVENUE  
SHERERVILLE, IN 46375

Kathleen Kahn  
3 SILVER QUEEN CT  
PARK CITY, UT 84060

Kathy & Clyde Stewart Jr.  
PO Box 665  
West Pains, MO 65775

Kearney Properties  
1408 Madison Ave  
Mankato, MN 56001

Laurence R. Kennedy  
Stinson Blvd Trust  
13997 ST CROIX TRAIL N  
STILLWATER, MN 55082

LEFONZ LAWN SVC  
1459 6TH AVE S  
SOUTH ST PAUL, MN 55075

Legacy Enterprises Inc.  
7155 E Crescent Ct  
Springfield, MO 65809

Legacy Enterprises Inc.  
c/o Dan R. Nelson  
Lathrop & Gage LLP  
P.O. Box 4288  
SPRINGFIELD, MO 65808-4288

LH MELTZER LLC  
513 SUMMIT AVE  
SAINT PAUL, MN 55102

MAILSOUTH INC  
PO BOX 532536  
ATLANTA, GA 30353-2536

Mark & Helen C. Kim  
2298 Thistle Rd  
Glenview, IL 60026

Mark J. Ogren  
1749 S Greeley St  
PO Box 15  
Stilwater, MN 55082

MARK KIM & HELEN C KIM  
MIRAE LAW LLC  
ATTN JANE H PARK  
1701 GOLF RD STE 1-1106  
ROLLING MEADOW, IL 60008

Mary A. Kaszynski  
2574 E 259th Rd  
Peru, IL 61354

MAXIMUS INC.  
7130 MINSTREL WAY  
STE L100  
COLUMBIA, MD 21045

McLochlin Enterprises Inc.  
CHUCK MCLOCHLIN  
295 E LINCOLN RD  
KOKOMO, IN 46902

Mihailo Chukalovich  
18540 PRAIRIE ST  
APT 101  
NORTHRIDGE, CA 91324

MINNESOTA LOGOS INC  
201 W TRAVELERS TL  
STE 230  
BURNNSVILLE, MN 55337

MO BK, LLC  
PO BOX 7906  
BEVERLY HILLS, CA 90212

MOAC Mall Holdings LLC  
c/o Simon Prop Group  
225 W Washington St  
Indianapolis, IN 46204

MUZAK - FLORIDA  
PO BOX 538382  
ATLANTA, GA 30353-8382

MUZAK DR THRU  
PO BOX 601975  
CHARLOTTE, NC 28260-1975

MUZAK LLC  
PO BOX 71070  
CHARLOTTE, NC 28272-1070

MUZAK LLC  
C/O BRIDGET ANN OXENDINE  
3318 LAKEMONT BLVD  
FORT MILL, SC 29708

MUZAK N CENT REGION  
PO BOX 90423  
CHICAGO, IL 60696-0423

MUZAK OF W PALM BEACH  
PO BOX 534558  
ATLANTA, GA 30353-4558

Nath Property Company, LP  
900 AMERICAN BLVD E  
STE 300  
MINNEAPOLIS, MN 55420

Nathan Lustman Trust  
4335 MARINA CITY DE  
MARINA DEL REY, CA 90292

NORTH FIELD LANDSCAPE LLC  
1224 WATSON ST  
AURORA, IL 60505

NUCO2 INC  
PO BOX 9011  
STUART, FL 34995

Oreel Family Limited Partnership  
C/O SHANNON OREEL  
PO BOX 3243  
MADISON, WI 53704-0243

P&C Rentals LLP  
c/o Paul Blaske  
PO Box 14366  
Scottsdale, AZ 85267

Paul N. and Karine T. Philips  
801 NORTH BRAND BVLVD  
STE 665  
GLENDALE, CA 91203-1237

Peterson Appraisal Group, Ltd.  
Attn. Aby Paz  
6035 N Northwest Hwy  
Ste 200  
Chicago, IL 60631

Pooya Inc.  
Attn: Ramiar Shirani  
2070 Demaine Ct  
Morgan Hill, CA 95037

PRESTO-X LLC  
4521 LEAVENWORTH ST  
OMAHA, NE 68108-1437

Ramsey Cronfel  
725 Parkview Cir  
Elk Grove Village, IL 60007

RIVER CITY LAWN  
835 COLLEGE ST  
PRESCOTT, WI 54021

Roger & Candice J. Johnson  
8048 Hill Tr N  
Lake Elmo, MN 55042

Ronald Gdovin &  
Dina Rickard  
5400 EAST THE TOLEDO  
STE 402  
LONG BEACH, CA 90803-3901

Russ Family Trust  
1434 Genoa Ln  
San Jacinto, CA 92583

SECAP FINANCE  
PO BOX 405371  
ATLANTA, GA 30384-5371

Segura Investors VI LLC and  
Segura Investors VII LLC  
c/o Dennis gura  
2116 Wilshire Blvd #209  
Santa Monica, CA 90403

Serramonte Westborough Associates, LLC  
355 GELLERT BLVD  
Ste 222  
DALY CITY, CA 94015

Sherwin 2000 Trust  
Mendocino Hill Vineyard  
9801 Old River Rd  
Ukiah, CA 95482

SNO MOW SERVICES  
304 12TH ST  
FARMINGTON, MN 55024

South Campbell Street Inv. Co. LLC  
c/o Dan R. Nelson  
Lathrop & Gage LLP  
P.O. Box 4288  
SPRINGFIELD, MO 65808-4288

Spring Investment LLC  
ATTN CHENG LEE  
6 GLENGARRY WAY  
PRINCETON JUNCTION, NJ 08550

Stadium Village Plaza LLC  
Attn Mark Harmon  
527 Marquette Ave #1000  
Minneapolis, MN 55402

STEPHEN J GARDELLA JR  
2426 DENVER ST  
SAN DIEGO, CA 92110

Sunflower Square Shopping Center LLC  
c/o Richard C. Salmen  
Felhaber Larson Fenlon & Vogt P.A.  
220 South Sixth Street Suite 2200  
Minneapolis, MN 55402

Sunflower Square Shopping Ctr, LLC  
20841 Ventura Blvd  
Woodland Hills, CA 91364

Survivor's Trust of Ruth &  
Joseph Jurnecka  
835 CALABASAS RD  
WATSONVILLE, CA 95076-0417

Sutter Development Corp  
603 Birchbark  
Lebanon, MO 65536

The Lakes Adventure LLC  
30100 TOWN CTR DR  
SUITE 341  
LAGUNA NIGUEL, CA 92677

Thomas Joseph Tacci  
Family Trust  
335 HEIDI DR  
MORGAN HILL, CA 95037

TODD'S GRNDSKEEPING  
1682 HEMMINGWAY CT  
JANESVILLE, WI 53545

Triex Missouri Prop LLC

19198 FOXGLEN LN

HUNTINGTON BEACH, CA 92648

Triple H Properties

14730 Ruby St

Durand, IL 61024

University Park Development LLC

7932 S 90TH E AVE

TULSA, OK 74133

Vander-Smith Properties

2448 Matterhorn Dr

Maplewood, MN 55109

Vanowen Street LLC

11054 Ventura Blvd Ste 124

Studio City, CA 91604

Wakefield LLC

Attn: Julie Oanh T. Nguyen

12001 Market St #454

Reston, VA 90190

William H. Hess Irrevocable Trust

1689 N 2501 RD

OTTAWA, IL 61350

Williams Prop Mgmt LLC

ATTN STEVE D WILLIAMS

7348 LONE CEDAR TRAIL

SOUTH BELOIT, IL 61080-9490

Wood Family Limited Partnership

c/o JT Brown Realty Co.

2304 E. Powell

Springfield, MO 65804

Worms Trust dated 5/9/1998

1384 MILLER PLACE

WEST HOLLYWOOD, CA 90069

Yocom Oil Company Inc.

2719 STILLWATER RD

ST PAUL, MN 55119